United Nations S/2012/542

Security Council

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Letter dated 13 July 2012 from the Secretary-General addressed to the President of the Security Council

I have the honour to attach a letter dated 13 July 2012 from the Joint Special Envoy of the United Nations and the League of Arab States for Syria, Kofi A. Annan, on the reports of intense violence and significant casualties in the town of Trem-seh, near Hama, including the use of heavy weapons in violation of the obligation of the Government of the Syrian Arab Republic under Security Council resolutions 2042 (2012) and 2043 (2012) (see annex). I condemn this outrageous escalation of violence in the strongest possible terms, and fully concur with the views expressed by the Joint Special Envoy. I reiterate my call on members of the Security Council to insist on the implementation of the Council's resolutions and to exercise their common responsibilities by taking necessary collective action under the Charter of the United Nations.

I should be grateful if you could bring this letter and its annex to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

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Annex

I am writing in the light of the tragic reports coming out of the village of Trem-seh, near Hama, of intense fighting and significant casualties. The use of artillery, tanks and helicopters, which has been confirmed by the United Nations Supervision Mission in the Syrian Arab Republic, is a violation of the Syrian Government's obligations and commitments to cease the use of heavy weapons in population centres under the six-point plan and Security Council resolutions 2042 (2012) and 2043 (2012).

When I briefed the Security Council on 11 July, I stated that despite repeated promises to comply with its obligation to cease the use of heavy weapons, the Government has increased its operations — with shelling, mechanized infantry and the use of helicopter gunships, including in population centres.

Tragically, we now have another grim reminder that the Council's resolutions continue to be flouted. On Wednesday I recommended that the Council should insist on implementation of its decisions, and send a message to all that there will be consequences for non-compliance. This is imperative and could not be more urgent in light of unfolding events.

(*Signed*) Kofi A. **Annan**
Joint Special Envoy of the United Nations
and the League of Arab States for Syria

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Security Council

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16 July 2012

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Letter dated 12 July 2012 from the Chair of the Security Council Committee established pursuant to resolution 1988 (2011) addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 1988 (2011) to the Security Council containing an account of the Committee's activities from 17 June to 31 December 2011.

(*Signed*) Peter **Wittig**
Chair
Security Council Committee established pursuant to resolution 1988 (2011)

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Annex

Report of the Security Council Committee established pursuant to resolution 1988 (2011)

I. Introduction

1. The purpose of the present report is to provide a factual summary of the Committee's activities during the period from its establishment on 17 June 2011 until 31 December 2011, in accordance with the transparency measures outlined by the President of the Security Council in his note of 29 March 1995 (S/1995/234).

II. Background information

2. On 17 June 2011, the Security Council adopted resolution 1988 (2011), thereby deciding, inter alia, that all States shall impose an obligatory assets freeze, travel ban and arms embargo with respect to the individuals and entities on the List established by paragraph 1 of the same resolution (the 1988 (2011) Sanctions List). Pursuant to paragraph 2 of resolution 1988 (2011), all names included in sections A (Individuals associated with the Taliban) and B (Entities and other groups and undertakings associated with the Taliban) of the 1267 (1999) Consolidated List as at 17 June 2011 were transferred to the 1988 (2011) Sanctions List with immediate effect.

3. The Security Council decided, in paragraph 9 of resolution 1988 (2011), that all Member States may make use of the provisions set out in paragraphs 1 and 2 of resolution 1452 (2002), as amended by resolution 1735 (2006) regarding available exemptions to the assets freeze. Available exemptions to the travel ban are described in paragraph 1 (b) of resolution 1988 (2011).

4. By paragraph 30 of its resolution 1988 (2011), the Security Council decided to establish a new committee (the 1988 (2011) Sanctions Committee) to, inter alia, oversee the sanctions measures and to consider listing and delisting requests in connection with individuals and entities associated with the Taliban in constituting a threat to the peace, stability and security of Afghanistan.

5. On 30 June 2011, the Security Council agreed to elect the Bureau of the Committee for the period ending 31 December 2011, which consisted of Ambassador Peter Wittig (Germany) as Chair, with the delegations of Brazil and the Russian Federation providing the two Vice-Chairs (see S/2011/2/Rev.2).

6. In accordance with paragraph 31 of resolution 1988 (2011), the Committee is supported by the Analytical Support and Sanctions Monitoring Team established by paragraph 7 of resolution 1526 (2004) (the Monitoring Team).

7. By paragraph 20 of resolution 1988 (2011), the Security Council decided that individuals and entities seeking removal from the 1988 (2011) Sanctions List without the sponsorship of a Member State are eligible to submit such requests to the Focal Point mechanism established in resolution 1730 (2006).

8. On 30 June 2011, and in accordance with paragraph 3 of resolution 1989 (2011), the Security Council Committee pursuant to resolution 1267 (1999) and

1989 (2011) concerning Al-Qaida and associated individuals and entities transmitted to the 1988 (2011) Sanctions Committee all listing submissions, delisting requests and proposed updates to the existing information relevant to section A (Individuals associated with the Taliban) of the 1267 (1999) Consolidated List that were pending as at 17 June 2011. There were no entries and no pending issues in relation to section B of the 1267 (1999) Consolidated List (Entities and other groups and undertakings associated with the Taliban). On the same occasion, the Al-Qaida Sanctions Committee also transmitted to the 1988 (2011) Sanctions Committee documentation on several additional matters relating to Taliban individuals that had been submitted to the Al-Qaida Sanctions Committee after 17 June 2011.

III. Summary of the activities of the Committee

9. The Committee held informal consultations on three separate occasions during the reporting period.

Adoption of Guidelines of the Committee for the conduct of its work

10. Pending the establishment of its own guidelines for the conduct of its work in accordance with paragraph 26 of resolution 1988 (2011), the Committee was guided in its work, on a provisional basis and where appropriate, by the Guidelines of the Security Council Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities, as updated on 26 January 2011.

11. The Committee accorded high priority to establishing its own guidelines for the conduct of its work, including by discussing the draft guidelines in detail at the informal consultations of the Committee held on 19 July 2011. The new Guidelines were subsequently adopted on 30 November 2011.

Cooperation with the Government of Afghanistan

12. Resolution 1988 (2011) makes specific provisions for enhanced cooperation among the Committee, the Government of Afghanistan and the United Nations Assistance Mission in Afghanistan (UNAMA) and these have been reflected in the Guidelines of the Committee.

13. At its informal consultations held on 26 July 2011, the Committee held a constructive dialogue with the Permanent Representative of Afghanistan to the United Nations regarding the role of the Government of Afghanistan in the implementation of resolution 1988 (2011), in particular in the areas of listing and delisting, its cooperation with the Committee and UNAMA, and the possibility of establishing a national focal point to facilitate these issues.

14. In a letter dated 11 November 2011, the Chair wrote to the Permanent Representative of Afghanistan regarding the annual report to be submitted by the Government of Afghanistan on the status of reportedly reconciled individuals who had been delisted in the previous year, as requested by the Security Council in paragraph 22 of resolution 1988 (2011). The Committee is taking a calendar year approach in this regard and is expecting the reports for individuals delisted in 2010 and 2011 to be submitted to the Committee in the first quarter of 2012. The

Monitoring Team has been working with UNAMA and the Afghan authorities to aid the submission of these reports.

15. The Committee also encouraged the Afghan authorities to give careful consideration to the matter of reconciled individuals, and to provide relevant inputs to the Monitoring Team, in accordance with paragraph 25 (a) of resolution 1988 (2011). The Monitoring Team has been in close contact with the Government of Afghanistan in this regard, deploying a staff member to Afghanistan in July and September to support the finalization of the list of individuals on the 1988 (2011) Sanctions List whom the Afghan Government considers reconciled. The Monitoring Team also visited Afghanistan from 29 to 31 November to discuss the implications of the new sanctions regime.

16. In a letter dated 11 November 2011, the Chair wrote to the Special Representative of the Secretary-General for Afghanistan to share the Committee's views concerning enhanced cooperation between UNAMA, the Committee and the Monitoring Team. Throughout the reporting period, UNAMA continued to provide support to the Committee through the Monitoring Team. The Committee intends to invite the new Special Representative of the Secretary-General for Afghanistan to meet with the Committee in the first quarter of 2012, when he is in New York to brief the Security Council.

Maintenance and dissemination of the 1988 (2011) Sanctions List

17. During the reporting period, the Committee removed the names of 15 individuals from the 1988 (2011) Sanctions List and added the names of 4 individuals. The Committee also amended the entries of 107 names with additional or updated information. These updates reduced significantly the number of entries lacking sufficient identifiers for effective implementation of the relevant measures.

18. To promote rapid dissemination and effective implementation, the Committee issues a press release, a note verbale and electronic notification to contact points in Permanent Missions in New York and in capitals following each update of the 1988 (2011) Sanctions List. There were six updates of the 1988 (2011) Sanctions List in 2011.

19. The Committee's secretariat notifies the Permanent Mission of the relevant country or countries regarding the listing or delisting of individuals or entities within three working days. These include the country or countries where the concerned individual or entity is believed to be located, and in the case of individuals, the country of which the person is a national. Such notifications remind relevant States that they are required to take, in accordance with their domestic laws and practices, all possible measures to notify or inform in a timely manner the concerned individuals and entities of the Committee's decision to add them to or remove them from the 1988 (2011) Sanctions List, as well as provide them with relevant information.

20. To ensure that the 1988 (2011) Sanctions List is as updated and accurate as possible, the Committee has been requested to review each entry on this list on a regular basis, including, as appropriate, by means of reviews of individuals whom the Afghan Government considers to be reconciled, individuals whose entries lack

identifiers necessary to ensure effective implementation of the measures, individuals reportedly deceased, and entities reported or confirmed to have ceased to exist.

21. The Committee received a letter dated 27 October 2011 from the Coordinator of the Monitoring Team transmitting a list of individuals and entities on the 1988 (2011) Sanctions List whose entries lack sufficient identifiers pursuant to paragraph 25 (b) of resolution 1988 (2011), as well as a paper on identifying information in the Afghan context.

22. It also, pursuant to paragraph 25 (c) of resolution 1988 (2011), received a letter dated 17 November 2011 from the Coordinator of the Monitoring Team transmitting a list of individuals who are reportedly deceased.

23. The Committee will, in accordance with resolution 1988 (2011), review these lists submitted by the Monitoring Team in early 2012.

Linkages between Al-Qaida and those individuals and entities eligible for designation under resolution 1988 (2011)

24. On 16 September 2011, the Monitoring Team submitted a report and recommendations on the issue of linkages between Al-Qaida and those individuals and entities eligible for designation under resolution 1988 (2011), as requested by the Security Council in paragraph (u) of the annex to resolution 1988 (2011). This report, which contains the views of the Monitoring Team, was submitted to the Security Council on 20 December 2011 (see S/2011/790) and remains under the consideration of the Committee. The Chair is keeping abreast of the different views on the report expressed during discussions in the Al-Qaida Sanctions Committee.

Outreach to Member States and regional organizations

25. On 27 September 2011, the Committee issued a note verbale to all Member States, outlining key elements of resolution 1988 (2011) and reiterating Member States' obligations with regard to the implementation of the sanctions measures.

26. In a letter dated 14 December 2011, the Chair wrote to the Special Representative of the International Criminal Police Organization (INTERPOL) to the United Nations, seeking confirmation from INTERPOL that the Committee may request the issuance, the update and the cancellation of INTERPOL-United Nations Security Council Special Notices, as appropriate, for individuals and entities included on the 1988 (2011) Sanctions List, based on procedures previously agreed between INTERPOL and the former Al-Qaida and Taliban Sanctions Committee.

27. The Committee has developed its website (www.un.org/sc/committees/1988), which contains information and documentation related to the work of the Committee, including the most up-to-date version of the 1988 (2011) Sanctions List, and the narrative summaries of reasons for listing.

IV. Additional activities of the Monitoring Team

28. In addition to the support the Monitoring Team provided to the Committee in undertaking its work, as described above, the Team was also involved in the following activities.

29. In December 2011, the Monitoring Team, in partnership with the United Nations Office on Drugs and Crime (UNODC), the Counter-Terrorism Committee Executive Directorate and the Group of Experts established by the Security Council Committee established pursuant to resolution 1540 (2004), provided training to relevant Afghan officials (two from the Ministry of Foreign Affairs and two from the National Security Council). The training, held from 12 to 14 December, was designed to enhance the quality of their reporting to the 1988 (2011) Sanctions Committee and the Security Council Committees dealing with counter-terrorism. It provided an opportunity to explain in detail the reporting requirements of the Committees and to discuss the challenges faced by Afghan officials in fulfilling their obligations.

30. The Monitoring Team is currently working with UNODC and the Counter-Terrorism Committee Executive Directorate to organize a meeting between the Afghan Financial Intelligence Unit (FinTRACA) and selected regional financial intelligence units to discuss *hawaladars* and other non-formal money transfer systems within a context of countering financing of terrorism. There are plans to hold this meeting in early March at the UNODC offices in Vienna. The Monitoring Team is also working with the Counter Threat Financing Taskforce 2010 of the International Security Assistance Force in order to illuminate the funding channels of listed members of the Taliban.

31. The Team has submitted an information package on the work and the mandate of the Committee, including information regarding listing and delisting procedures. The Committee has approved the information package and will shortly post it on its website.

V. Future work of the Committee

32. The Committee will continue to ensure that the 1988 (2011) Sanctions List and the narrative summaries are as up to date and accurate as possible and will conduct all reviews necessary in this regard.

33. The Committee is committed to continuing to enhance cooperation between the Committee, the Government of Afghanistan and UNAMA. The Committee looks forward to further strengthening its cooperation with the Government of Afghanistan and encourages relevant Afghan authorities to continue submitting new listing and delisting requests.

34. The Committee is well prepared to support efforts by the Government of Afghanistan to promote reconciliation as set forth in relevant international agreements, including most recently in the conclusions of the Bonn Conference in December 2011.